

## MINUTES

### MONTANA HOUSE OF REPRESENTATIVES 65th LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON TAXATION

**Call to Order:** Vice Chair Kelly Flynn, on April 11, 2017 at 8:00 AM, in Room 152 Capitol

#### ROLL CALL

**Members Present:**

Rep. Jeff Essmann, Chair (R)  
Rep. Kelly Flynn, Vice Chair (R)  
Rep. Tom Jacobson, Vice Chair (D)  
Rep. Becky Beard (R)  
Rep. Dave Fern (D)  
Rep. Wylie Galt (R)  
Rep. Adam Hertz (R)  
Rep. Greg Hertz (R)  
Rep. George G. Kipp III (D)  
Rep. Steve Lavin (R)  
Rep. James O'Hara (R)  
Rep. Alan Redfield (R)  
Rep. Bridget Smith (D)  
Rep. Tom Welch (R)  
Rep. Kerry White (R)

**Members Excused:**

Rep. Kim Abbott (D)  
Rep. Zach Brown (D)  
Rep. Mary Ann Dunwell (D)  
Rep. Ron Ehli (R)  
Rep. Jim Hamilton (D)

**Members Absent:** None

**Staff Present:** Margot Miltenberger, Committee Secretary  
Megan Moore, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: HJ 36, 4/6/2017  
Executive Action: SB 359; HJ 36; HB 620

00:01:17 Rep. Hamilton and Rep. Dunwell joined the meeting

### **HEARING ON HJ 36**

#### **Opening Statement by Sponsor:**

00:02:09 Rep. Steve Gunderson (R), HD 1, opened the hearing on HJ 36, Interim study of the Montana medical marijuana program.

00:02:54 Rep. Z. Brown joined the meeting

#### **Proponents:**

00:06:04 Danielle Muggli, Patient Rights Network

00:08:07 Barbara Turner, Self

00:08:15 Rep. Abbott joined the meeting

**Opponents:** None

**Informational Witnesses:** None

#### **Questions from Committee Members and Responses:**

00:12:07 Rep. Dunwell

00:13:17 Rep. Gunderson

00:14:45 Rep. Essmann

00:14:55 Rep. Gunderson

00:15:52 Rep. Hamilton

00:16:29 Rep. Gunderson

00:18:30 Rep. Essmann

00:19:20 Rep. Gunderson

00:20:52 Rep. Jacobson

00:21:34 Rep. Gunderson

00:21:58 Rep. Beard

00:22:31 Barbara Turner, Self

00:24:18 Rep. Essmann

00:30:02 Barbara Turner, Self

00:31:44 Rep. G. Hertz

00:33:21 Barbara Turner, Self

#### **Closing by Sponsor:**

00:33:50 Rep. Gunderson

00:35:41 Recessed

00:53:17 Reconvened with Rep. G. Hertz and Rep. B. Smith excused

### **EXECUTIVE ACTION ON SB 359**

00:53:43 **Motion:** Rep. Jacobson moved that **SB 359 BE CONCURRED IN.**

00:54:09 Megan Moore, Legislative Services Division (LSD)

00:54:45 **Motion:** Rep. Hamilton moved that **SB 359 BE AMENDED.**  
**EXHIBIT**(tah76a01)

**Discussion:**

00:55:01 Rep. Hamilton  
01:00:04 Rep. Fern  
01:00:21 Rep. Hamilton  
01:01:05 Rep. Dunwell  
01:02:53 Rep. White  
01:07:35 Rep. Hamilton  
01:07:58 Gene Walborn, Department of Revenue (DOR)  
01:09:05 Rep. Fern  
01:10:10 Rep. Hamilton

01:11:00 **Vote:** Motion failed 8-12 by roll call vote with Rep. Abbott, Rep. Z. Brown, Rep. Dunwell, Rep. Fern, Rep. Hamilton, Rep. Jacobson, Rep. Kipp and Rep. B. Smith voting aye. Rep. Ehli, Rep. G. Hertz and Rep. B. Smith voted by proxy.

01:12:14 **Motion:** Rep. Essmann moved that **SB 359 BE AMENDED.**  
**EXHIBIT**(tah76a02)

**Discussion:**

01:12:28 Megan Moore, LSD  
01:13:08 Rep. Hamilton  
01:13:30 Rep. Essmann  
01:14:28 Rep. Dunwell  
01:15:09 Rep. Jacobson  
01:15:45 Rep. Fern  
01:16:02 Rep. Essmann  
01:16:06 Rep. Hamilton

01:16:24 **Vote:** Motion carried unanimously by roll call vote. Rep. Ehli, Rep. G. Hertz and Rep. B. Smith voted by proxy.

01:17:22 **Motion/Vote:** Rep. Jacobson moved that **SB 359 BE CONCURRED IN AS AMENDED.** Motion carried 18-2 by voice vote with Rep. Abbott and Rep. Dunwell voting no. Rep. Ehli, Rep. G. Hertz and Rep. B. Smith voted by proxy. Rep. Hertz will carry the bill.

**EXECUTIVE ACTION ON HJ 36**

01:18:19 **Motion:** Rep. Jacobson moved that **HJ 36 DO PASS.**

**Discussion:**

01:18:33 Rep. Essmann  
01:19:41 Rep. Dunwell  
01:20:10 Vice Chair Flynn

01:20:49 **Vote:** Motion carried 18-2 by voice vote with Rep. Z. Brown and Rep. Jacobson voting no. Rep. Ehli, Rep. G. Hertz and Rep. B. Smith voted by proxy.

**EXECUTIVE ACTION ON HB 620**

01:21:24     **Motion:** Rep. White moved to **RECONSIDER PREVIOUS ACTION** on **HB 620**.

**Discussion:**

01:21:45     Rep. White

01:22:58     **Vote:** Motion carried 12-8 by roll call vote with Rep. Abbott, Rep. Z. Brown, Rep. Dunwell, Rep. Fern, Rep. Hamilton, Rep. A. Hertz, Rep. Jacobson and Rep. Kipp voting no. Rep. Ehli, Rep. G. Hertz and Rep. B. Smith voted by proxy.

01:24:02     **Motion:** Rep. White moved that **HB 620 DO PASS**.

**Discussion:**

01:24:13     Rep. White

01:24:39     Rep. Fern

01:25:46     Rep. Z. Brown

01:26:07     Rep. Hamilton

01:26:48     Rep. Essmann

01:28:03     **Vote:** Motion carried 11-9 by roll call vote with Rep. Abbott, Rep. Beard, Rep. Brown, Rep. Dunwell, Rep. Fern, Rep. Hamilton, Rep. A. Hertz, Rep. Jacobson and Rep. Kipp voting no. Rep. Ehli, Rep. G. Hertz and Rep. B. Smith voted by proxy.

**ADJOURNMENT**

Adjournment: 01:32:06

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Margot Miltenberger, Secretary

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Additional Documents:

**EXHIBIT**([tah76aad.pdf](#))